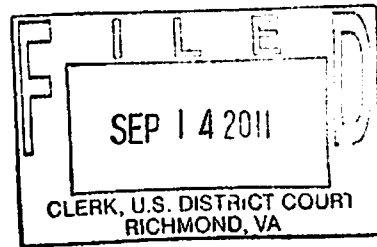


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



TIMOTHY LEE COLES,

Petitioner,

v.

Civil Action No. 3:11CV192

COMMONWEALTH OF VIRGINIA, et al.,

Respondents.

MEMORANDUM OPINION

Timothy Lee Coles, a Virginia prisoner proceeding pro se, filed this civil action. By Memorandum Order entered on July 26, 2011, the Court directed Coles to show cause why this Court should maintain jurisdiction over his appeal from the Supreme Court of Virginia's refusal to hear his civil appeal. See D.C. Court of Appeals v. Feldman, 460 U.S. 462, 482 (1983). The Court directed Coles to show cause within fourteen (14) days from the date of entry thereof and warned Coles that failure to do so would result in dismissal of the action.

More than fourteen (14) days have elapsed and Coles has not attempted to show cause. Coles's failure to do so indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Coles.

It is so ORDERED.

Date: September 13, 2011
Richmond, Virginia

/s/ REP
Robert E. Payne
Senior United States District Judge